



## ***Regional Resource Stewardship Council***


<b>March 16-17, 2005</b>  <i>(All times are EST)</i>	TVA Headquarters 400 West Summit Hill Drive Knoxville, Tennessee 37902  <b>Meeting Room: Auditorium</b>	
<b>Wednesday March 16</b>	<b>Council Meeting Agenda</b>	
8:00 a.m.	Chairman's Welcome/ Introductions/ Agenda Review/ Roundtable Remarks	Bruce Shupp, Council Chair Dave Wahus, Facilitator Members
9:00	Opening Remarks	Kate Jackson, TVA Executive Vice President
9:20	Updates on Issues from Previous Terms <ul style="list-style-type: none"> <li>• Public Involvement (10 min)</li> <li>• Recreation (5 min)</li> </ul>	Bridgette Ellis Bridgette Ellis
10:00	<b>Break</b>	
10:30	Updates on Issues from Previous Terms (Continued) <ul style="list-style-type: none"> <li>• Water Partnership Update (30 min)</li> <li>• ROS Implementation and Results  Status (1 hour)</li> </ul>	Gene Gibson  Morgan Goranflo
12:00 – 1:00 p.m.	<b>Council Lunch Break</b>	
1:00	Improving Review of Requests for Changes in Land Plans	Bridgette Ellis
1:30	Agency Presentations on Review of Requests for Changes in Land Plans (30 min each): <ul style="list-style-type: none"> <li>• US Army Corps of Engineers</li> <li>• Bureau of Land Management</li> <li>• US Forest Service</li> </ul>	Maurice Simpson Howard Levine Paul Arndt
3:00	<b>Break</b>	
3:15	Panel Discussion	Agency Representatives and Bridgette Ellis
4:00	Introduction of Questions	Facilitator
4:10	Begin Discussion of Questions	Members
5:00 p.m.	Adjourn	Chair


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<b>March 16-17, 2005</b>  <i>(All times are EST)</i>	<p style="text-align: center;">TVA Headquarters  400 West Summit Hill Drive  Knoxville, Tennessee 37902  Phone: 865.632.2333; Fax: 865.632.3146  Cell Phone for emergencies: 865.898.2398</p> <p style="text-align: center;"><b>Meeting Room: Auditorium</b></p>	
<b>Thursday, March 17</b>	<b>Council Meeting Agenda</b>	
8:00 a.m.	Convene/Administrative Announcements	Chair
8:10	Discussion of Questions (Continued from previous day)	Facilitator
<b>9:30 a.m.</b>	<b>Public Comments</b>	Chair
10:30	<b>Break</b>	
11:00	Discussion of Questions (Continued)	Facilitator
12:00	Finalize Discussion Notes for Presentation to TVA	Chair Members
12:45	Next Meeting/ Requests for Next Meeting	Chair Members
1:00	<b>Council Adjourns</b>	


	<b>Resource Stewardship</b>
<p align="center"><b>Update on Public Involvement</b> Presented to: <b>Regional Resource Stewardship Council</b> March 16, 2005</p>	


	<b>Why We Need Public Involvement</b>
<ul style="list-style-type: none"> <li>• Problem solving is better with public opinions and values</li> <li>• Enriches the debate</li> <li>• Raises issues early in project planning</li> <li>• Provides basis for sustainable decisions</li> <li>• Builds support for decisions when participants see their views reflected</li> <li>• Fulfills mandates</li> </ul>	


	<b>How Public Comments Guide Our Decisions</b>
<ul style="list-style-type: none"> <li>• Creation of new alternatives</li> <li>• Modification of project plans</li> <li>• Development of mitigation measures</li> </ul>	


	<b>January 2004 RRSC Meeting about Public Involvement</b>
<p><b>3 Questions were asked of the Council:</b></p> <ol style="list-style-type: none"> <li>1. What are your comments on TVA's approach to public involvement?</li> <li>2. What other public involvement techniques should TVA investigate?</li> <li>3. What are your suggestions for improving TVA's approach to public involvement?</li> </ol>	


	<b>Comments from the January 2004 RRSC Meeting</b>
<ul style="list-style-type: none"> <li>• TVA should use more proactive approaches and help people understand the importance of participating.</li> <li>• The ROS study used different and innovative approaches to obtain public input. It was a good model.</li> <li>• Stakeholder involvement should include more than data gathering. It should also address how the data is used and a closed-loop process back to the stakeholder.</li> <li>• TVA should improve the website to make it easier for the public to contact TVA.</li> <li>• Public input is difficult to obtain.</li> <li>• TVA needs an employee training program on public participation.</li> <li>• TVA's approach to public involvement needs to be improved and communicated throughout the agency to initiate a cultural change in the agency.</li> </ul>	


	<b>TVA Results to Date</b>
<ul style="list-style-type: none"> <li>• More emphasis on planning public involvement</li> <li>• New public involvement process</li> <li>• More key opinion leader briefings</li> <li>• Website improvements</li> <li>• Information gathering tools used when appropriate</li> <li>• Met with a training consultant</li> </ul>	


	<b>Summary</b>
<ul style="list-style-type: none"><li>• Public involvement is critical to the decision-making process.</li><li>• Complex stewardship issues are more effectively addressed with a clear understanding of public opinions and values.</li><li>• Public involvement brings better decisions.</li></ul>	
<small>2 Resource Stewardship</small>	

	<b>Resource Stewardship</b>
<p><b>Update on Recreation</b> Presented to: <b>Regional Resource Stewardship Council</b> March 16, 2005</p>	
<small>3 Resource Stewardship</small>	

	<b>September 2003 RRSC Meeting about Recreation</b>
<p><b>3 Questions were asked of the Council:</b></p> <ol style="list-style-type: none"><li>1. What are the most important national and regional trends TVA's recreation planning should take into consideration?</li><li>2. What should be the most critical elements of TVA's recreation strategy?</li><li>3. What should TVA's recreation program look like in five years?</li></ol>	
<small>4 Resource Stewardship</small>	

	<b>Comments from the September 2003 RRSC Meeting</b>
<ul style="list-style-type: none"><li>• Recreation on TVA public lands is increasing and changing in character.</li><li>• TVA needs to clearly understand the long-term recreation trends and changes in user demands.</li><li>• Public surveys of user satisfaction and preferences would be helpful.</li><li>• Comprehensive recreation goals should be established.</li><li>• Regional availability of recreation opportunities should be evaluated.</li><li>• Better relationships should be established with potential partners.</li><li>• Sustainable funding should be established.</li></ul>	
<small>5 Resource Stewardship</small>	

	<b>TVA Results to Date</b>
<ul style="list-style-type: none"><li>• Initiated development of a recreation strategy to provide a framework for providing recreation opportunities on and along the Tennessee Reservoir System.</li><li>• Further update on the proposed strategy to be provided to RRSC later this year.</li></ul>	
<small>6 Resource Stewardship</small>	




# Water Supply

An Update

Regional Resource Stewardship Council Meeting  
March 16, 2005


**Gene Gibson**  
River Operations  
Manager, Water Supply



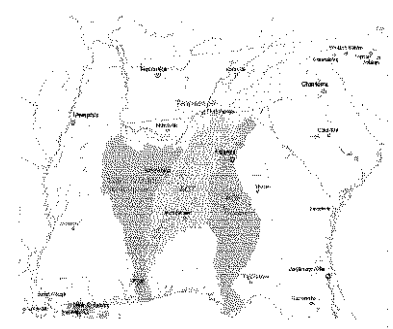
Regional Resource Stewardship Council


## Water Partnership Update

- Status of Valley-wide Partnership
- Inter-basin Transfer Discussion



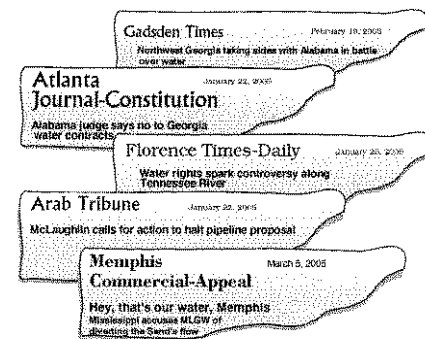
## Water-War Territory






Water Quantity

## Issues Continuing to Emerge






Regional Resource Stewardship Council

## Recommendation


- Establish basin-wide partnership (to include governmental & non-governmental organizations & public) to focus on water quantity issues
- Start with states, EPA, and USGS (then others)
- Role of TVA should be to initiate and facilitate partnership




Results

## Accomplishments To Date

- Visited all Valley States, EPA, USGS
- RRSC recommendation well received; contacts established
- Agenda developed & kick-off meeting held October 20-21, 2004
- Second meeting held February 23-24, 2005
- Developed draft mission statement for moving forward
- Third meeting scheduled for July, 2005






Tennessee Valley Water Partnership  

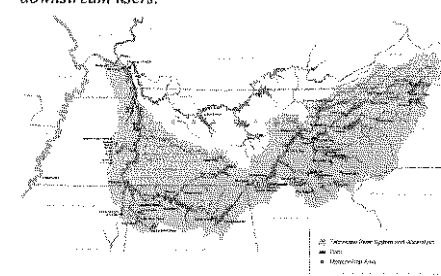
## Draft Mission Statement


- The mission of the Tennessee Valley Water Partnership is to improve regional cooperation in water resource management.**
- This will be accomplished by providing a framework for coordination and information exchange among the states while recognizing individual state processes, interests, issues, laws and regulations.*
- While recognizing the inherent relationship between water quality and quantity, the initial focus will be water quantity related issues.*



## Inter-basin Transfers

*Occur when a quantity of water is transferred from one basin to another... and is no longer available to existing downstream users.*






Inter-basin Transfers  

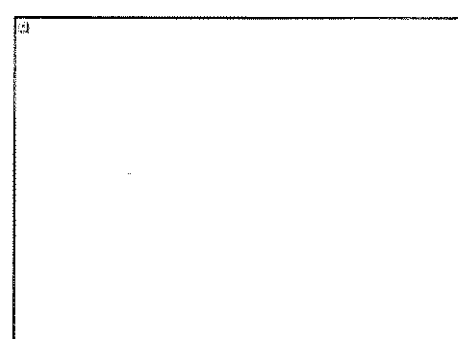
## Why the Concern


- 100 percent of water transferred is lost from system
- Impacts likely felt in other states
- Could impact TVA's ability to carry out mandated federal responsibilities
- Potential exists to impact critical system balance
- Environmental and ecosystem issues related to stream of origin and receiving stream
- Operational impacts related to hydro-power generation and thermal electric cooling



Tennessee River Watershed  

## States and Counties






## Existing Inter-Basin Transfers

*Positive Number Denotes Transfer Into Tennessee River Watershed  
Negative Number Denotes Transfer From Tennessee River Watershed*

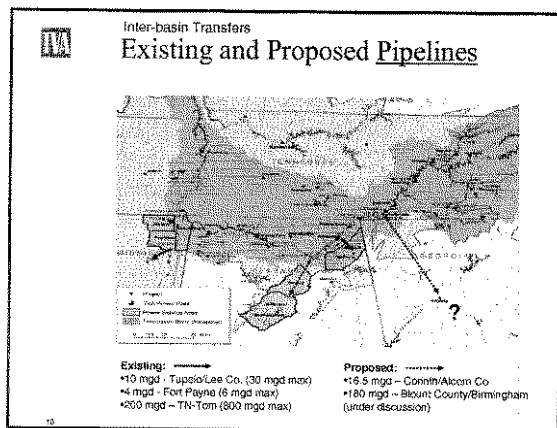
No	System	mgd
1	City of Lexington, TN	-0.5
2	Cleveland Springs, TN	0.0
3	Columbia Power & Water, TN	-0.6
4	Cumberland LEO Hartman, TN	0.1
5	Peabody LEO Wartburg, TN	-0.1
6	West Warren Mula, MO, Missouri, TN	0.9
7	Eastside LEO Chattanooga, TN	3.0
8	Crossville Water Resources, Crossville, TN	1.2
9	Huntsville LEO Huntsville, TN	0.1
10	Fort Payne, AL	-4.0
11	Waynesboro, NC	-0.2
12	Highlands, NC	0.1
13	Hayfork, AL	-2.5
14	Athensville, AL	-3 (Est.)
15	Atoka, AL	-1 (Est.)
	<b>Total</b>	<b>-13.1</b>



Inter-basin Transfers  

## State Coordination

- TVA/USACE receive permit application
- TVA requests input from Valley States:
  - Objections
  - Recommendations
  - Comments
- TVA uses state input to help determine extent of review needed
- "Letter of No Objection" required from state in which withdrawal is to take place before TVA will initiate review
- TVA & USACE determine level of NEPA review
  - Categorical Exclusion
  - Environmental Assessment
  - Environmental Impact Assessment
- State concerns documented regardless of level of review
- Cumulative impacts of applicant IBT and previous IBTs considered & documented




Questions

Backup Slides

- RRSC January 31, 2002 Meeting  
**Recommendations**
1. **Planning:** TVA should take leadership on water management and regulatory issues in the Tennessee basin by convening a basin-wide partnership to provide for coordinated education and planning among states, federal agencies, public and private water users, stakeholders, and all interested parties. Such a partnership should develop long-term objectives and strategies for managing the quantity of water that is maintained, held, withdrawn or diverted from streams, rivers, and reservoirs in the Tennessee Basin. Such strategies should seek to meet societal and natural resource needs in a balanced manner and should integrate planning for use of both surface water and groundwater resources.
  2. **Research:** TVA should initiate and coordinate research into the extent of future stresses and demands on the Tennessee River Basin water supplies.
  3. **Management and Stewardship:** TVA should continue to make judicious use of its authority to manage the waters of the Tennessee Basin to provide for water supply, hydropower, navigation and irrigation while providing for the stewardship of fisheries, biodiversity, water quality, and natural resources.

- RRSC Workshop (May 8-9, 2003)  
**Additional Council Input Provided**
- Who should participate
  - What role TVA should play
  - Successful end-state of partnership
  - Objectives and strategies for partnership
  - Time frame to establish partnership
  - Potential funding sources for partnership

- RRSC Update (September 10-11, 2003)  
**Proposed Actions by TVA**
- Complete water supply analysis work
  - Develop standard briefing presentation
  - Approach potential participants individually
  - Develop agenda for kick-off meeting based on input from potential participants
  - TVA plan & host kick-off meeting
  - Establish consensus strategy/plan for moving forward



Kick-off Meeting (October 20-21, 2004)

## State Partnership Agenda


- Welcome and Introductions
- Objectives of Meeting - What do we want to accomplish?
- Brief Overview by each State, EPA Region IV, USGS, and TVA on:
  - Organizational staffing challenges
  - Summary of current water supply planning activities (quantity and quality)
  - Where current planning stops (e.g. watershed, state line, etc.); any immediately identified opportunities for cooperation/ integration
  - Plans for updating source water assessments
  - Establishment of water quality standards
  - Ongoing efforts related to regionalization of water supply
  - Policy on inter-basin transfers
  - Drought management planning and response
- Discussion of Partnership - How Should It Evolve, What Will It Take to Make It Succeed; Who Should Be Involved; What Should be Next Steps?
- Plans for Next Meeting (When, Where, etc.)



Second Meeting (February 23-24, 2005)

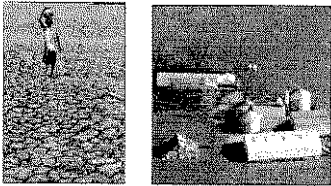
## State Partnership Agenda

- Introduction
- Open Items from Meeting # 1
- Discussion of Water Supply Plans
  - What Constitutes a Plan
  - Drought Planning
  - Implementing plans
  - Need for a Tennessee River System Water Supply Plan
- Proposed Mission Statement for Partnership
  - Steps to Achieve Mission
  - Who Should Participate in Partnership
- Corinth, MS Inter-basin Transfer (IBT) Request
  - State Responses & Perspectives
  - Discussion of Existing IBT's from Tennessee River System by TVA
  - TVA Proposed Process for Handling Future IBT Requests
- 2005 Tennessee Valley Water Use Study
  - USGS Presentation
  - How Partnership and Other State and Federal Entities Might Support Effort
- Conclusions
  - Review Action Items
  - Discuss Plans for Next Meeting



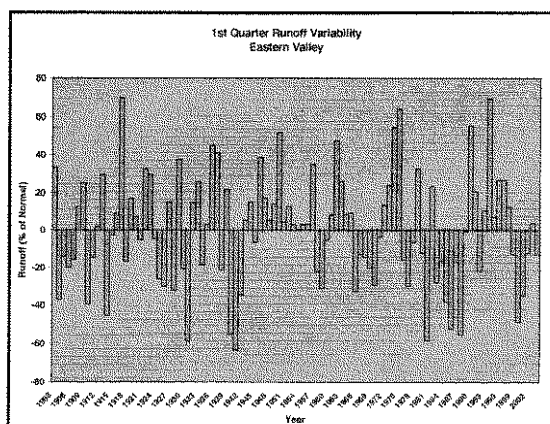
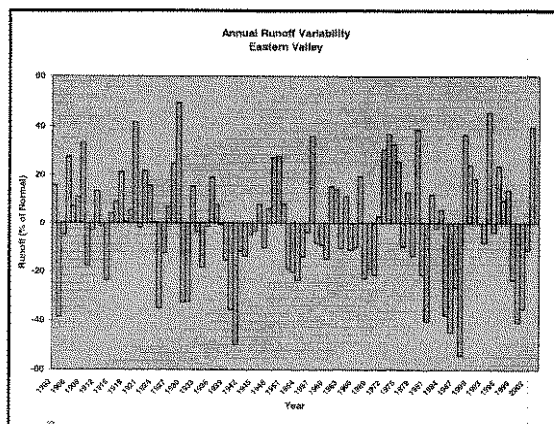
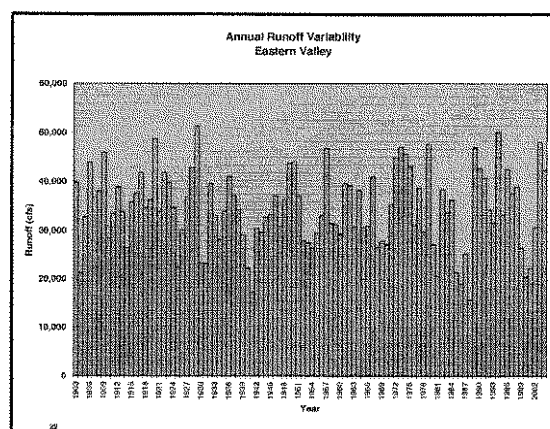
Potential Impacts

## Global Warming

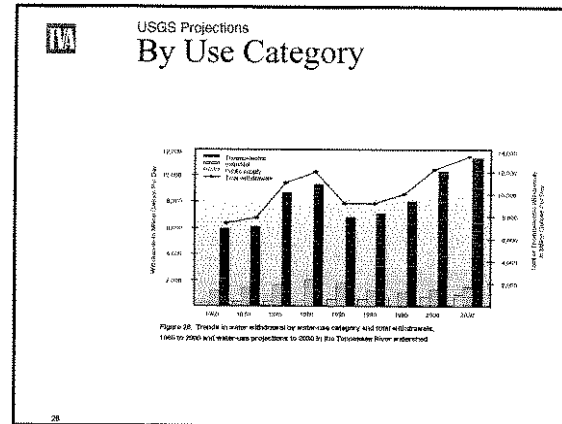
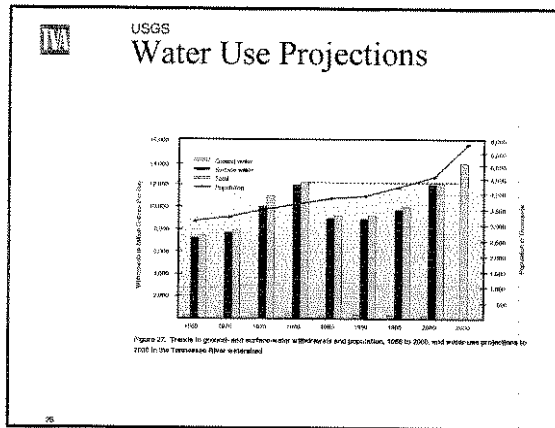


Kevin J. Korman/Associated Press

Some scientists are warning that climate change brought about by global warming is increasing the prospect of intensified droughts and floods.

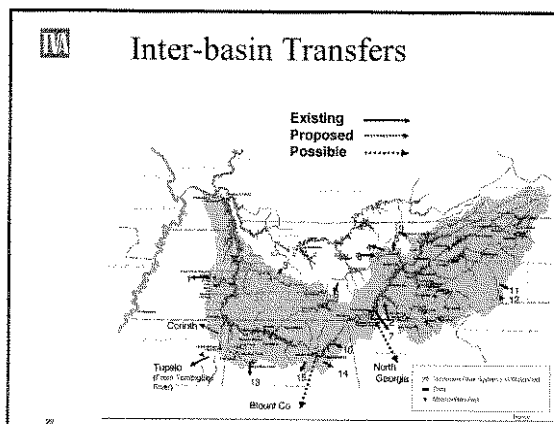
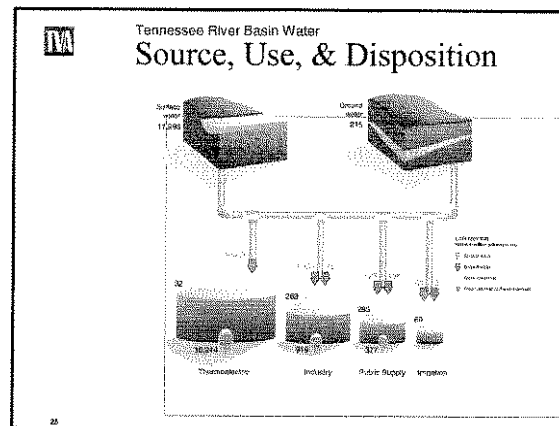






**Watershed State Comparison by Area**

State	State Percent of Watershed	Watershed Percent of State
Alabama	17	13
Georgia	4	2
Kentucky	2	2
Mississippi	1	1
North Carolina	13	10
Tennessee	55	54
Virginia	8	8



- Water Quantity Issues**
- ### Inter-basin Transfers
- **Existing**
    1. Fort Payne – 4 mgd annual average
    2. Eastside – 3 mgd annual average
    3. Tennessee-Tombigbee Waterway – 200 mgd annual average
    4. Tupelo – 10 mgd annual average from Tombigbee River
  - **Proposed**
    1. Corinth – 16.5 peak day (8 mgd annual average)
  - **In the Papers**
    1. Blount County – as much as 180 mgd annual average
  - **Others in Background**
    1. North Georgia & Atlanta



## Reservoir Operations Study Overview And Experience Since June 2004

Morgan Goranflo  
Sr. Manager  
River Scheduling



## Background

- Initiated in October 2001.
- Comprehensive review of how TVA operates the integrated Tennessee River reservoir system.
- Purpose: to determine if changes in TVA's reservoir operating policy would produce greater overall public value.



## River System Value

- The integrated operation of the Tennessee River system provides:
  - Year-round commercial navigation
  - Reduced risk of flooding
  - Affordable and reliable electricity
  - Improved water supply
  - Improved water quality
  - Recreation opportunities



## About the Study

- Establish public values
- Extensive public and agency input
  - Community workshops
  - Random telephone survey
  - Written comments
  - Public Review Group
  - Interagency Team
- Detailed technical analysis
  - Water quality, flood risk, economic models
- Iterative process based on scoping objectives



## Preferred Alternative Development

- Combined elements of the DEIS alternatives that supported the scoping objectives of:
  - Navigation
  - Reservoir recreation
  - Tailwater recreation
  - Scenic beauty
- Made adjustments to avoid or reduce adverse impacts to other scoping objectives:
  - Flood damage reduction
  - Water quality
  - Power supply
  - Aquatic life
  - Wetlands
  - Shoreline erosion

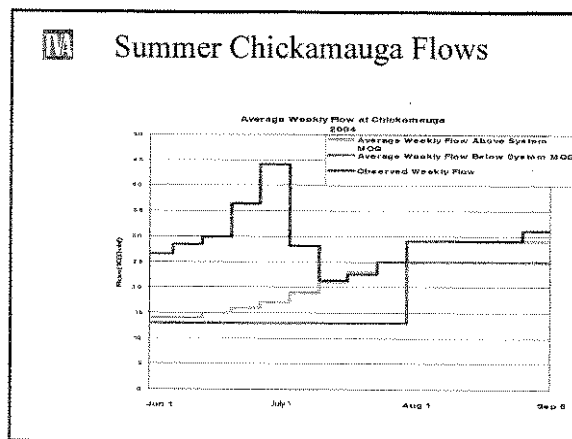
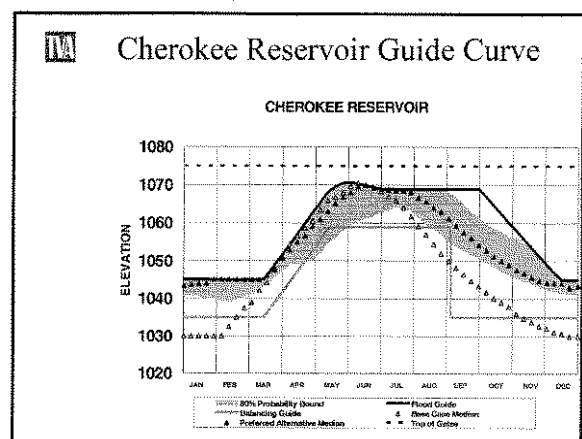
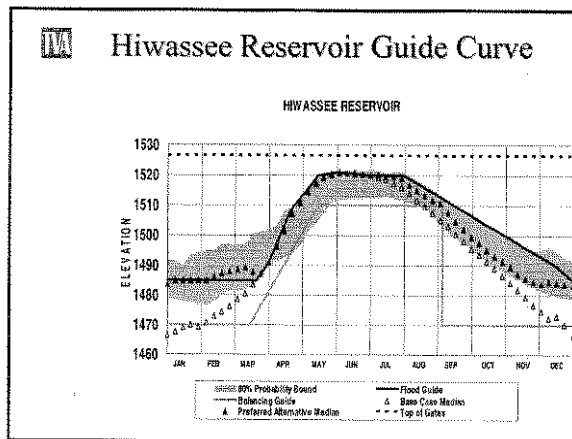
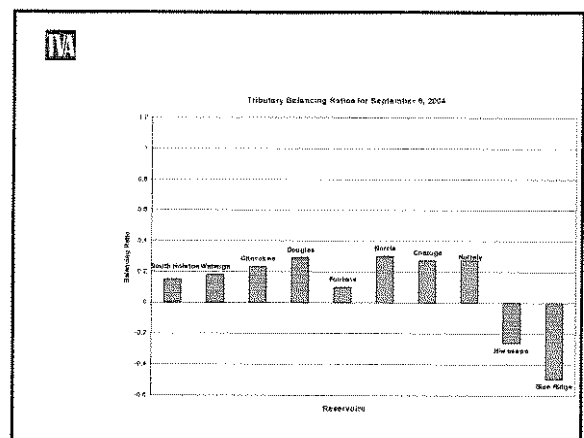
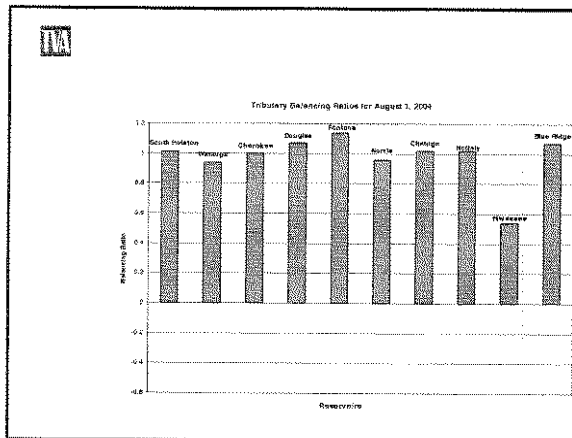


## Changes to Tributaries

- The drawdown was limited from June 1 through Labor Day on:
 

– Blue Ridge	– Nottely
– Chatuge	– Hiwassee
– Cherokee	– Norris
– Douglas	– South Holston
– Fontana	– Watauga
- Subject to each project meeting its minimum flow requirement and a balanced share of the system flow requirement.





**2004 Exceptions**

Apalachia rec flows curtailed because of low Hiwassee inflows

Norris rec flows periodically exceeded because of flood storage recovery

Reservoirs balanced to the extent possible, given wide range of spatial hydrologic variability



## The Rest of the Story

Extremely wet fall overall, most of fall spent trying to get to flood guides at many locations. Hurricanes affected parts of the Valley on three occasions.

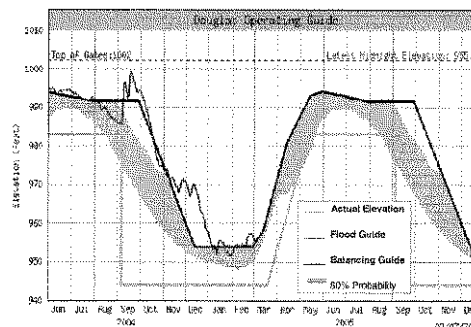
Many tributary reservoir users saw unusually high levels during this time.

Large December flood, primarily on lower system.

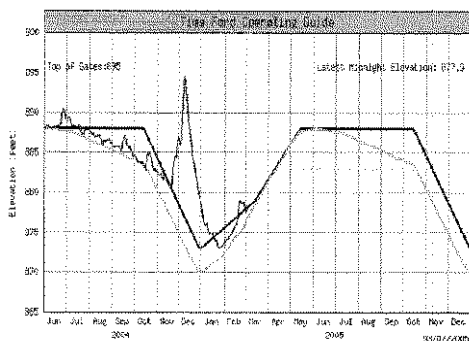
Winter has been drier than normal. Intermittent excursions below flood guides have been routine.



## Douglas Reservoir Operations



## Tims Ford Reservoir Operations



## Main River Changes

- Fill operations on Fort Loudoun, Watts Bar, and Chickamauga will occur in two stages:
  - The 2005 Spring fill will begin on April 1; pool levels will rise during the first week of April as weather permits (as under previous policy)
  - The remainder of the fill will occur gradually over the next five weeks to be completed by mid-May.
- Delaying completion of the fill will provide additional flood damage reduction on the Tennessee River.
- Conducting the fill in two stages will minimize impacts to fish spawning.

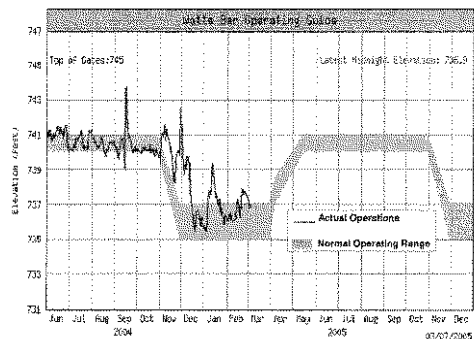


## Main River Changes

- Summer operating zones were maintained through Labor Day on Chickamauga, Guntersville, Wheeler, and Pickwick.
- Summer operating zones are extended from August 1 to November 1 on Watts Bar.
- The minimum winter pool elevation of Wheeler was raised by six inches to ensure a minimum navigable channel depth.



## Watts Bar Reservoir Operations



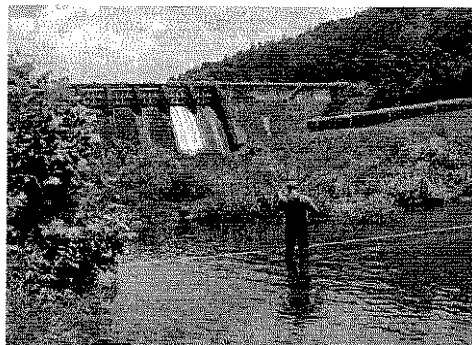




### Other changes



- Expanded and more dependable scheduled releases for tailwater recreation were provided at Ocoee #1, Apalachia, Norris, Watauga/Wilbur, and South Holston.
- Flow below Kentucky Dam has been increased to benefit commercial navigation.
- Continuous minimum flows are being provided between Apalachia Dam and the powerhouse from June 1 through Nov. 1 to enhance aquatic habitat in the bypass reach.







### Apalachia Minimum Flow


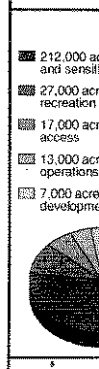



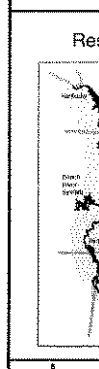
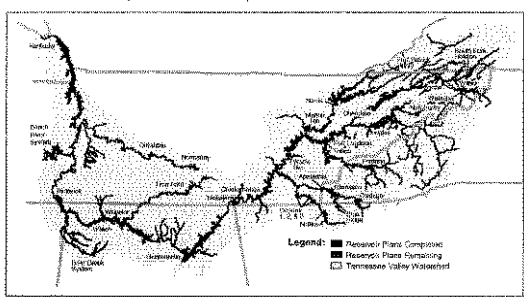
	<h2>Resource Stewardship</h2>
	<p align="center"> <b>Improving Review of Requests for Changes in Land Plans</b>  Presented to:  <b>Regional Resource Stewardship Council</b>  March 16, 2005 </p>

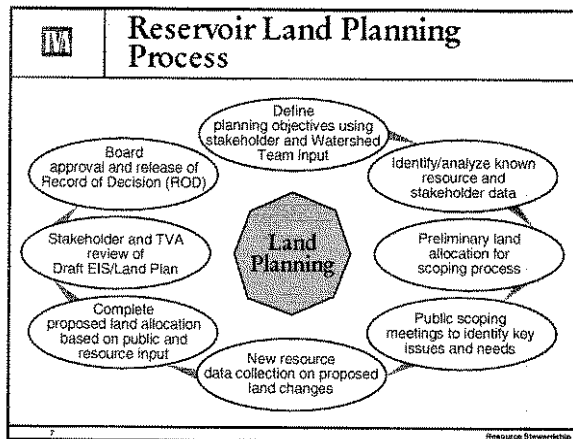
	<h2>Presentation Overview</h2>
	<ul style="list-style-type: none"> <li>• Background on Public Land Management, Land Ownership, Land Planning and Land Use Review</li> <li>• Regional Resource Stewardship Council (RRSC) Issues and TVA Results to Date</li> <li>• Draft TVA Guidelines</li> </ul>

	<h2>TVA's Mission</h2>
	<p> <i>"To aid further the proper use, conservation, and development of the natural resources of the Tennessee River drainage basin. . .for the general purpose of fostering an orderly and proper physical, economic, social development of said areas..."</i> </p> <p align="right">TVA Act – Section 22</p>

	<h2>Reservoir Land Policy</h2>
	<p> <i>To manage reservoir lands for multiple public benefits including conservation, recreation, and economic development.</i> </p>

	<h2>Land Assets</h2>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <ul style="list-style-type: none"> <li>212,000 acres - conservation and sensitive resources</li> <li>27,000 acres - developed recreation</li> <li>17,000 acres - shoreline access</li> <li>13,000 acres - project operations</li> <li>7,000 acres - economic development</li> </ul> </div> <div style="width: 45%;"> <p>35,000 Retained Power Properties</p> <p>470,000 Retained Land Under Water</p> <p>342,000 acres transferred to state and federal agencies for recreation and resource management</p> <p>160,000 acres sold for development</p> <p>4,000 acres sold with commercial recreation, group camp, or private club restrictions</p> </div> </div> <p align="center"><b>1.3 Million Acres Acquired</b></p>

	<h2>Reservoir Land Plans</h2>
	<p align="center">Reservoir plans are complete for 94% of TVA's lands</p> 




### Reservoir Land Planning Zones

	Acres Allocated	(%)
Project Operations	13,000	(4)
Sensitive Resource Management	31,000	(11)
Natural Resource Conservation	181,000	(62)
Industrial/Commercial	7,000	(2)
Recreation	27,000	(9)
Shoreline Access	17,000	(6)
To Be Planned	17,000	(6)
	<u>293,000</u>	<u>(100)</u>

8

Resource Stewardship


### Land Use Proposal Review Process



- Party initiates a proposal for use of TVA land.
- Requests are evaluated for consistency with TVA's goals and objectives:
  - Ensures compatibility of requests
  - Ensures alignment with operational needs
  - Allows consideration of issues, such as reservoir access ("maintain and gain")
- Environmental, programmatic, and public review is performed.
- TVA Board approval is required for all land disposals, land plans, and allocation changes.

Resource Stewardship


### Public Issues About Land Use



- Balance among public use opportunities, environmental stewardship and economic growth
- Public land for public uses
- Private development of public land taken by eminent domain
- No net loss of conservation land

Resource Stewardship

### Previous RRSC Comments




- Other agencies have policies that do not allow them to make federal land available for development without rigorous review.
- Every reservoir is different.
- Once a plan has been developed it should have integrity for a period of time with no changes unless the request passes a very strict review process and offers broad public benefits.
- Plans should be reviewed on a regular basis (every 5-7 years).

11

Resource Stewardship

### Previous RRSC Comments







- TVA should develop a comprehensive Valleywide policy.
- TVA should have a clear planning process and criteria to identify when a plan should be reopened.
- Land use proposals made within 5-7 years of a plan should meet a higher set of criteria and bring significant benefits to the public.
- Overall, there should be no net loss of conservation land.
- TVA should take a critical look at residential development.



12



Resource Stewardship







	<h2>TVA Results to Date</h2>
	<ul style="list-style-type: none"> <li>• Reaffirmed the use of reservoir land management plans to strike a balance between conservation, recreation, and economic development.             <ul style="list-style-type: none"> <li>– Plans allow TVA to give consideration to the unique characteristics and needs of each reservoir area.</li> </ul> </li> <li>• Prepared proposed guidance for review of changes in allocations.             <ul style="list-style-type: none"> <li>– The proposed guidance would formalize practices TVA has used in recent land use reviews.</li> <li>– The proposed guidance provides for a strict review process.</li> </ul> </li> </ul>

	<h2>Draft Guidance for Reviewing Requests to Change Land Allocations:</h2>
	<ul style="list-style-type: none"> <li>• Evaluation guided by three major components:             <ul style="list-style-type: none"> <li>– Public Interest</li> <li>– Land Use</li> <li>– Financial</li> </ul> </li> </ul>

	<h2>Key Considerations in Public Interest Guidelines</h2>
	<ul style="list-style-type: none"> <li>• Multiple data-supported public benefits</li> <li>• Low-impact development practices</li> <li>• Compatibility with Shoreline Management Policy</li> <li>• Regional, multi-county, and local support</li> <li>• Potential to mitigate anticipated issues</li> </ul>

	<h2>Key Considerations in Land Use Guidelines</h2>
	<ul style="list-style-type: none"> <li>• Age of the existing reservoir plan</li> <li>• Whether the site has been pre-approved for mixed-use development</li> <li>• Whether the site is in an economically distressed county</li> <li>• Provisions for no net loss of TVA conservation land</li> <li>• Negligible or mitigated land use/environmental impacts</li> </ul>

	<h2>Key Considerations in Financial Guidelines</h2>
	<ul style="list-style-type: none"> <li>• Qualifications, business credibility, financial capacity, and creditworthiness of the applicant</li> <li>• Commitment by applicant to spend the time and money to address stakeholder issues</li> <li>• Commitment by applicant to compensate TVA for all review costs</li> <li>• Approved sales would be at public auction</li> </ul>

	<h2>Summary</h2>
	<ul style="list-style-type: none"> <li>• TVA has a broad regional resource stewardship and development mission.</li> <li>• TVA manages public land to provide multiple benefits, including conservation, recreation, and economic development.</li> <li>• The reservoir land management planning process allows TVA to take local issues and needs into account.</li> <li>• The proposed guidance will strengthen TVA's reservoir land management planning process and steer review of changes in allocations.</li> </ul>

## **Biographical Information on Presenters**

### **Army Corp of Engineers**

#### Maurice Simpson

Mr. Maurice Simpson is the Team Leader of the Land and Water Conservation Section, Natural Resources Management Branch, Nashville District, U.S. Army Corps of Engineers.

During his nearly 30 years of service with the Nashville District, Mr. Simpson has had responsibility for various aspects of the management of federal lands and waters associated with Corps multipurpose projects, such as Shoreline Management, Environmental Compliance, Fish and Wildlife Management, and regulatory permitting.

He has served in assignments with the Division Office in Cincinnati and the Corps' Headquarters in Washington, D.C., as well as on national task forces dealing with development of land management policies.

As a member of the Corps' nationwide Stewardship Advisory Team, Mr. Simpson was most recently the team leader for development of a draft national land and water use policy dealing with recreational uses of Corps lands, which is currently undergoing national review by the public and partner agencies, including TVA. It is this policy that Mr. Simpson will be addressing today.

### **Bureau of Land Management**

#### Howard Levine

Mr. Levine is the Bureau of Land Management-Eastern States Planning and Environmental Coordinator. Mr. Levine began his Federal career in BLM-Alaska.

From 1981 until 1987, he held a number of technical positions and began the environmental phase of his career. He served as technical coordinator and project manager on an EIS team that dealt with placer gold mining in Interior Alaska.

From 1989 to 1993, Mr. Levine served as BLM-Alaska's planning coordinator.

Mr. Levine holds a master's degree from Cornell University in natural resource policy and management.

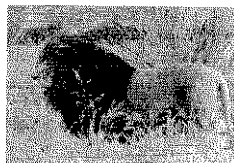
Mr. Levine has been BLM-Eastern States planning coordinator since 1997. He has been project manager on several planning teams and is currently managing a land use plan dealing with Federal minerals in New York State.

**United States Forest Service**Paul Arndt

Mr. Arndt is the Regional Planner for the Southern Region of the US Forest Service in Atlanta. He has been in this position since 1990. His responsibilities involve working with the different National Forests in the Region as they amend and revise their Land and Resource Management Plans. Before moving to Atlanta, he worked on National Forests in Wyoming and Idaho.

Mr. Arndt is from Denver, CO. He received his Bachelor of Science in Forest Management and Outdoor Recreation from Colorado State University, and a Master's degree in Natural Resources Economics from the University of Colorado at Denver.

**Maurice Simpson  
Corps of Engineers, Natural  
Resources Management  
Branch**



- Back from Africa
- Self-introduction

**Land Management Programs**

- **Shoreline Management Program**
  - Private Exclusive Use
  - Docks
  - Mowing
  - Bank Stabilization
  - Fire Lanes
  - Boundary Line Maintenance

**SHORELINE MANAGEMENT  
PLANS**

- **Old Hickory Lake -**  
[http://www.lrn.usace.army.mil/op/old/rec/shoreline\\_mgt.htm](http://www.lrn.usace.army.mil/op/old/rec/shoreline_mgt.htm)
- **Center Hill Lake-**  
[http://www.lrn.usace.army.mil/op/cen/rec/shoreline\\_management.htm](http://www.lrn.usace.army.mil/op/cen/rec/shoreline_management.htm)
- **Cheatham Lake -**  
[http://www.lrn.usace.army.mil/op/che/rec/shoreline\\_management.htm](http://www.lrn.usace.army.mil/op/che/rec/shoreline_management.htm)
- **Lake Barkley -**  
[http://www.lrn.usace.army.mil/op/bar/rec/shoreline\\_mgt.htm](http://www.lrn.usace.army.mil/op/bar/rec/shoreline_mgt.htm)
- **Lake Cumberland -**  
<http://www.lrn.usace.army.mil/op/wol/rec/smp.htm>

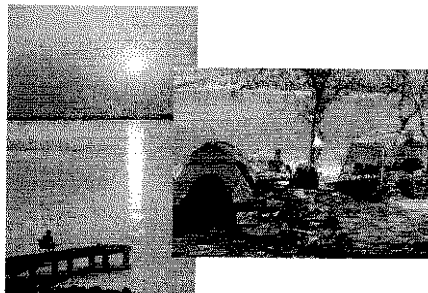
**Major Outgrants Program**

- **Commercial Concessions**
  - Marinas
  - State Parks
  - County Access Points
- **Quasi-Public Organizations**
  - Youth Camps
  - YMCA

**Need for Clear Policy**

- Finite Resource Base
- Increased Development Pressures
- Conflicting User Demands
- Congressional Interest
  - On behalf of constituents
  - Search for Increased Revenue Sources
- Internal Interpretation Differences
- Financial Impacts – Public and Private

**Recreation Outgrant  
Development Policy**



## Project Development Team

- Shane Demmer SWF RE
- Tracy Fancher SWL Ops
- Laura Norman HQ RE Legal
- Nickie Perry SAD RE
- Maurice Simpson LRN Ops
- George Tabb HQ Ops CoP
- Tim Toplisek HQ Ops CoP
- Dave Wilburn LRN RE
- Julie Marcy (facilitator) ERDC



## Guiding Principles

- The final land use policy will represent a balance between the interests of all stakeholders
- No adverse impacts to project operations missions and purposes
- Meet spirit of environmental operating principles
- Consistent with shoreline management policy
- No change in the private exclusive use policy
- Encourage partnerships
- Establish standardized evaluation criteria

## PDT Charter

- Identify and characterize major issues
- Recommend changes or resolution where appropriate
- ID major policy issues that must be resolved by Corps leadership
- Recommend necessary changes to other Corps regulations (RE, OD)
- Recommend final form of guidance
- Review whether guidance for all other outgrants/requests for use of Corps lands needs to be revised.

## New Policy Memo

- Philosophy
- Applicability
- Policy
- Evaluation Criteria



## Philosophy

"The Corps philosophy is to provide public outdoor recreation opportunities that support project purposes and meet the recreation demands created by the project itself while balancing natural resources requirements. This philosophy also considers other multipurpose project purposes such as navigation, flood control, hydropower, and water supply."

## Applicability

- All recreation development requests
- All entities/individuals (public, private and quasi-public)
- Previously approved development plans are grandfathered
- Anything outside of an existing development plan is considered a new request
- All new requests require a conceptual development plan

## Policy

- Must be tied to the natural resources of the project itself.
- Focus on facilities that accommodate or support: water-based activities, overnight use, and day use.

### Examples:

Acceptable: marinas, campgrounds, picnic areas, trails, swimming beaches, boat launching ramps, and comprehensive resort facilities.

Unacceptable: theme parks or ride-type attractions; private exclusive use; sports or concert stadiums; and stand alone facilities such as restaurants, bars, motels, hotels, non-transient trailers, and golf courses.

## Evaluation Criteria

- Consistent with project purposes
- Reasonable nexus to the project's natural and other resources
- Consistent with Master Plan and Operational Management Plan
- In the public interest
- Justified by the public demand (market study)
- Economically viable (feasibility study)
- Meets the recreation demands created by the project itself while balancing natural resources requirements

## Road Ahead

Mid-December 04	HQ reviews, briefs OASA(CW)
Mid- January 05	ASA(CW), OMB briefed on direction
January 05	Release revised draft
February 05	Assess field comments and revise as appropriate
Mid-March 05	CG and ASA(CW) approval
March 05	Tentative target for final release
March 06	Incorporate into ER

## Questions???



CECW-ZA/CEMP-CR

MEMORANDUM FOR: (SEE DISTRIBUTION)

SUBJECT: Recreation Outgrant Development Policy

1. **Background.** In executing the Corps mission to provide public outdoor recreation opportunities, districts receive numerous and diverse recreation land and water development requests. Since there are no nationwide consistent criteria to evaluate these requests, districts have taken different approaches that have created inconsistencies in the type and scope of recreation development provided. As a result, districts have requested nationwide guidance to address these issues.

2. **Purpose.** The purpose of this policy is to establish consistent, nationwide policy that will be applied to evaluate requests for recreation development at Corps projects in accordance with the Corps natural resources management mission. This policy was developed jointly by the Real Estate and Operations Communities of Practice.

3. **Applicability.** This policy generally applies to all recreation development requests by public (federal, state and local), private sector and quasi-public entities and individuals at Civil Works water resources development projects. Previously approved development plans are grandfathered under this policy. When a proposed action is not specifically addressed in an approved development plan or an existing outgrant instrument, it will be treated as a new request with regard to this policy. In this circumstance, the land availability will not have to be reevaluated. New or existing sublessees that propose actions outside the terms and conditions of the current real estate instrument will be considered new requests. All new requests require a conceptual development plan in sufficient detail to evaluate the proposal.

#### 4. Definitions

- a. **Comprehensive Resort** – Typically, multi-faceted developments with facilities such as: marinas, lodging, conference centers, golf courses, tennis courts and restaurants.
- b. **Development Plan** – Requestor's or existing lessee's plan for development of an area that shows proposed facilities, acreages, etc.
- c. **Outgrant** – An outgrant authorizes the right to use Army-controlled real property. It is a written legal document that establishes the timeframe, consideration, conditions and restrictions on the use of Army property. For the purposes of this policy, outgrants are typically leases and licenses authorized by 16 USC 460d, 10 USC 2667 and the general administrative authority of the Secretary of the Army (reference ER 405-1-12, Chapter 8 and the forthcoming EC 405-1-80).

- d. **Project Level Representative** – Person responsible for operations at a project or area level such as lake manager, operations manager, project manager, etc.
- e. **Support Facility** - An incidental facility that is not the main attraction or focus, but supports the approved recreation development. Examples include: playgrounds, multi-purpose sports fields, overnight facilities, restaurants, camp stores, bait shops, comfort stations, boat repair facilities, water slides, etc.

**5. Philosophy.** The Corps philosophy is to provide public outdoor recreation opportunities that support project purposes and meet the recreation demands created by the project itself while balancing natural resources requirements. This philosophy also considers other multipurpose project purposes such as navigation, flood control, hydropower, and water quality.

**6. Policy:** The primary reason for the recreation development request must be tied to the natural resources of the project itself. Typically these recreation requests focus on facilities that accommodate or support: water-based activities, overnight use, and day use. Examples that rely on the project's natural or other resources include: marinas, campgrounds, picnic areas, trails, swimming beaches, boat launching ramps, and comprehensive resort facilities. Examples that do not rely on the project's natural or other resources include: theme parks or ride-type attractions; private exclusive use; sports or concert stadiums; and stand alone facilities such as restaurants, bars, motels, hotels, non-transient trailers, and golf courses. Primary recreation facilities are approved first followed by those facilities that support them. Support facilities should enhance the recreation experience, be tied to resource-based facilities such as marinas, campgrounds, RV parks, and/or resorts, and be secondary to the original intent of the recreation development.

**7. Evaluation Criteria:** All requests for recreation development must be in writing and reviewed by a district team consisting of the project level representative, Real Estate, Operations, and other legal/technical elements as appropriate. Although these evaluation criteria are integral to any land availability determinations, the preparation of the Report of Availability (ROA) will follow the processes established in EC 405-1-80 and ER 200-2-2. In addition, the evaluation will be consistent with ER 1130-2-540, ER 1130-2-550, and ER 1130-2-406.

The team will evaluate requests for recreation development using the following criteria.

- Consistent with project purposes
- Reasonable nexus to the project's natural and other resources
- Consistent with land use classifications and resource management objectives in the Project Master Plan (or supplement thereto) and the Operational Management Plan
- In the public interest
- Justified by public demand (market study)
- Economically viable (feasibility study)
- Meets the recreation demands created by the project itself while balancing natural resources requirements

Routine, minor expansions/requests of previously approved facilities within the lease footprint may warrant a streamlined evaluation in accordance with established district procedures.



Examples include: additional campsites at an existing campground, additional marina boat slips, enlargement of a restaurant, additional picnic sites or parking spaces. -

8. This policy is effective immediately and supercedes any existing project, district, or MSC policy on evaluating requests for recreation development. This policy will remain in effect until incorporated into appropriate Engineer Regulations.

FOR THE COMMANDER:

DON T. RILEY  
Major General, USA  
Director of Civil Works

## Bureau of Land Management Land Use Planning:

Adapting to a Changing World

Regional Resource Stewardship Council  
Tennessee Valley Authority  
March 16, 2005  
Knoxville, TN



## BLM Facts

- Federal Land Policy and Management Act of 1976 (FLPMA)
- Manages 262 Million Acres of Surface
  - State Offices in 11 Western States
  - Eastern States Covers 32 States
- Jurisdiction on 500+ Million Acres of Minerals



## Planning Concepts

- Open to the Public
- Follows Multiple Use and Sustained Yield Principles
- Coordinates BLM Activities with Federal, State, Local and Tribal Governments' Programs and Plans



## Resource Management Plans

- "Tiered"
- Comprehensive, Broad Scale
- Time Consuming, Expensive
- Makes Land Use Allocations for Multiple or Restricted Resource Uses
- Sets Monitoring Protocols



## Common Planning Issues

- Land Tenure Adjustments
- Transportation and Access
- Energy and Minerals
- Ecosystem Health and Diversity
- Recreation
- Special Management Areas
- Public Health and Safety
- Archaeological Resources
- Social and Economic Values
- Fire Management



## Challenges

- Increasingly Diverse and Divisive Publics
- Ever-Changing Demands on Resources
- Increased Coordination Requirements
- Scientific Uncertainty
- Conflict Management



### Plan Monitoring, Evaluation and Changes

- **Monitoring**
  - Decision implementation
  - Resource conditions
- **Evaluation**
  - Plan viability
- **Changes**
  - Maintenance
  - Single issue amendments
  - Multi issue amendments
  - Revisions




### For more information

- **Scott Florence**
  - Senior Planner, BLM-Washington Office, Planning, Assessment and Community Support
  - 202-452-5151
- **Howard Levine**
  - Planning and Environmental Coordinator, BLM-Eastern States, Milwaukee Field Office
  - 414-297-4463




## The 2004 Planning Rule 36 CFR 219

Signed December 22, 2004  
Effective January 5, 2005




## 2004 Planning Rule

1. Describes the land management planning framework for NFS lands
2. Clarifies the strategic nature and scope of land management plans (plans)
3. Sets forth the process for developing, amending, revising, and monitoring plans
4. Establishes an approach for addressing sustainability




## 2004 Planning Rule The Planning Process

**Continuous Adaptive Process**




planning  
time

**Boom or Bust**




planning  
time




## What is Different?

- Plans developed as strategic documents – most plans won't require an EIS/EA to comply with NEPA.
- Plans will comply with NEPA through a CE.
- Forest employees and the public will design the plan together collaboratively.




## What is Different? (Cont.)

- Approach to plant and animal diversity focuses on ecosystem diversity with additional protection for species not covered by the ecosystem diversity approach (coarse/fine filter).
- As a result of monitoring and the EMS, forests can respond to changes on the landscape quickly in order to protect or restore the ecosystem.
- Before approving a plan, the public will be provided a 30-day pre-decisional objection period (a post-decision appeal is not available).



## 2004 Planning Rule

Does Not Require	Does Require
• AMS	• Evaluation Reports
• Benchmarks	• Conditions & Trends
• Viability Analysis	• Species Diversity
• MIS	• TES, Species of Concern
• Multiple-Use Prescriptions	• Suitability of Areas & Special Areas
• Standards	• Guidelines
• EIS Document	• Categorical Exclusion
• ASQ	• LTSY



## Nature of Plans

- The land management plan is a strategic guide for designing specific projects.
- Project design will refer to the plan's guidelines as design criteria to achieve desired conditions.



## Nature of Plans (Cont.)

- The plan's public involvement and analysis informs later decisions at the project or activity level. This is when environmental effects analysis becomes meaningful.



## Prototype or Planning Model

- Three Part Plan (Vision, Strategy, Design Criteria)



## Plan Components

- **Desired Conditions**
  - The social, economic and ecological attributes which guide land management and resources of the plan area.



## Plan Components (Cont.)

- **Objectives**
  - Concise projections of measurable, time-specific intended outcomes.



## Plan Components (Cont.)

- **Guidelines**
  - Information and guidance on project and activity decisionmaking.



## Plan Components (Cont.)

- **Suitability of Areas**

- An area is considered generally suitable for uses that are compatible with desired conditions and objectives for that area.
- Uses of specific areas are approved through project and activity decisionmaking.



## Plan Components (Cont.)

- **Special Areas**

- Areas within the National Forest System designated for their unique or special characteristics.
- Statutorily designated areas and administratively designated areas.



## Sustainability

- Ecological sustainability focuses on ecosystem diversity.
- Social and economic sustainability focus on a forest's contribution to the planning area.



## NEPA and EMS (Environmental Management System)

- EMS is not a replacement for NEPA.
- EMS identifies environmental aspects and significant environmental impacts associated with ongoing activities, as well as with new proposals.
- NEPA provides impact prediction and mitigation at a discrete proposal design and decision phase.



## EMS Complements NEPA

- EMS complements NEPA by providing structure to continually improve the environment.
- EMS requires periodic internal and independent audits to see if environmental conditions have improved. (If not, it determines why.)
- "Independent" audits can be another forest, another region, another agency, or contractors.



## Monitoring and Evaluation

Three types of evaluations are required for planning:

- Comprehensive Evaluations for plan development and revision (updated at least every 5 years)
- Evaluations for plan amendment
- Annual evaluations of monitoring information



### Forest Plan Documents (Published)

- Plan (five components)
- Comprehensive Evaluation Report
- Plan Approval Document (with Best Science Documentation)



### Other Planning Documents (Available for Review)

- Public Involvement Record/Options Development
- Monitoring Program Document
- Other EMS Documents
- NEPA Documents (as required)
- Annual Evaluation Reports



### Use of Collaboration

#### 1982 Rule

- Public participation activities are determined by the responsible line officer.



#### 2004 Rule

- The Responsible Line Officer must use a collaborative and participatory approach in planning.

### Developing Options

#### 1982 Rule

- Interdisciplinary team must formulate a broad range of alternatives according to NEPA procedures



#### 2004 Rule

- Responsible official may use an iterative approach in developing a plan, plan amendment, or plan revision in which plan "options" are developed and narrowed successively.

### Public Involvement/ Collaboration

- Involvement during:
  - Evaluation Report
  - The Plan
  - Designing the Monitoring Program
- Required public notices during:
  - Plan Amendment or Revision Initiation
  - 90-day comment on proposed plan
  - 30-day objection process



### Public Notice for Initiating a Plan Revision or Amendment

- Inform the public on the documents available for review and how to obtain them.
- A summary of the need to change a plan.
- Invite the public to comment on the "need for change" in a plan.
- An estimated schedule for planning process.
- Inform the public on the time available for comments and how to submit comments.



### Public Notice for a Proposed Plan Amendment or Revision

- Inform the public of the availability of the proposed plan amendment or revision.
- Include any relevant evaluation report.
- The commencement of the 90-day comment period.
- Process for submitting comments.



### Public Notice of a Plan Amendment or Revision Prior to Approval

- Inform the public of the availability of the plan amendment or revision.
- Include any relevant evaluation report.
- Commencement of the 30-day objection period.
- Process for objecting.



### Public Notice for Approval of a Plan Amendment or Revision

- Inform the public of the availability of the approved plan amendment or revision.
- Include the approval document.
- Identify the effective date of the approval.



### Plan Approval Document

The Responsible Official must record the approval of a new plan, plan amendment, or plan revision in a Plan Approval document.



### Plan Approval Document

- The rationale for the approval of the plan, plan amendment, or plan revision.
- A statement of how the plan amendment or revision applies to approved projects and activities.
- Science documentation.
- Effective date of the approval.



### Appeal or Objection

#### 1982 Rule

- Plan decisions may be appealed to the Chief of the Forest Service using 36 CFR 217.

#### 2004 Rule

- Prior to plan approval, the public has an opportunity for a predecisional review and an opportunity to object.





## Objection Process

- Responsible official is usually Forest Supervisor.
- Reviewing official is usually Regional Forester.
- Predecisional objections rather than postdecisional appeals.



## Changing Plan Components

Plan components may be changed through:

- Plan Revision (at least every 15 years)
- Plan Amendment (can occur at any time)
- Administrative Correction



## Changing Plan Components – Responsible Official

- The Responsible Official has the discretion to determine whether and how to change the plan.
- The Responsible Official has the discretion to determine what issues to consider for plan revision or amendment.



## Administrative Corrections

Administrative Corrections may be made at any time and are not plan amendments or revisions.



## Administrative Corrections

- Corrections and updates of data and maps.
- Corrections of typographical errors or other non-substantive changes.
- Changes in the monitoring program and monitoring information.
- Changes in timber management projections.



## Transition for Plans, Plan Amendments, Plan Revisions

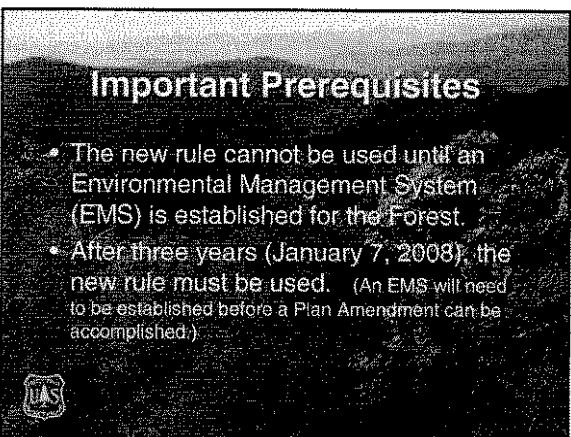
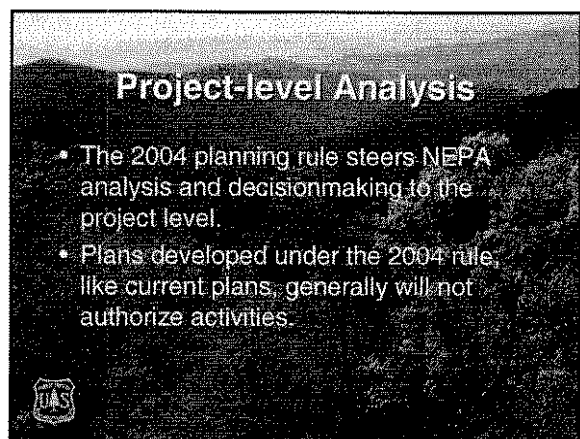
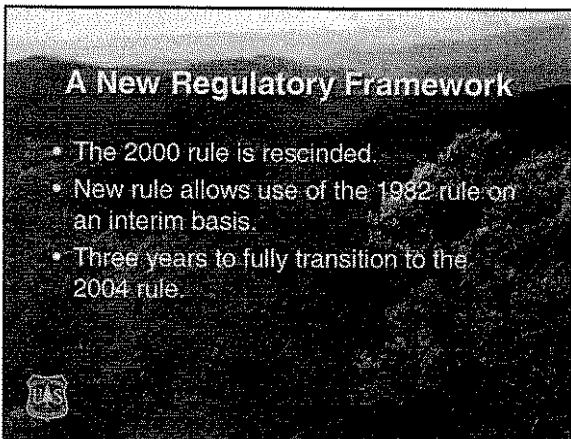
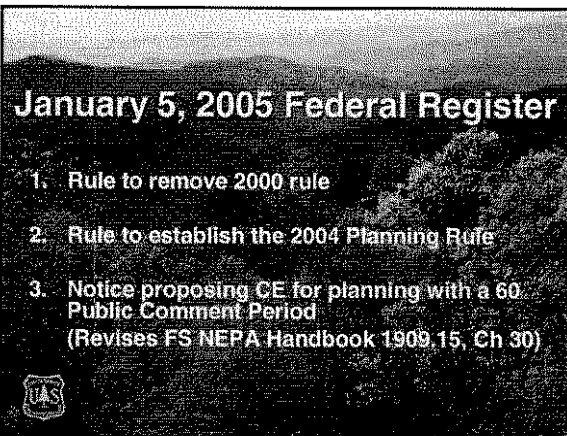
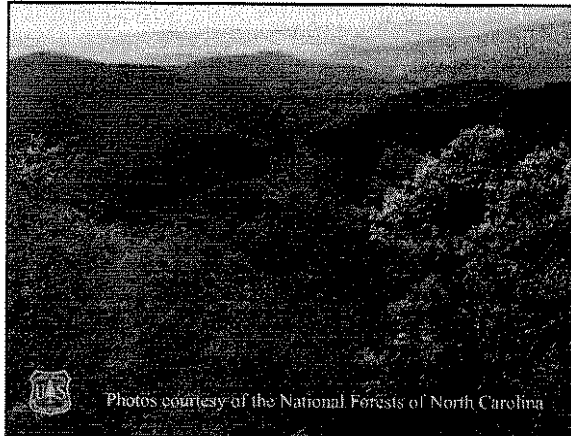
Initiated prior to transition period\* – either rule

Initiated during transition period\* – plans/ plan revisions 2004 Rule; plan amendments either rule

Initiated after transition period\* – 2004 Rule

\*Begins date rule published in Federal Register and ends when NFS unit establishes an EMS or 3 years after rule published.





March 16-17, 2005, Meeting

**Regional Resource Stewardship Council Questions**

1. *How can TVA better manage public lands to make a contribution toward meeting conservation, recreation, and economic development needs in the Valley?*
2. *What tradeoff strategies or other approaches should be used by TVA in balancing conservation, recreation, and economic development uses of public land?*
3. *The draft criteria address public interest, land use, and financial considerations. Do the proposed criteria adequately address these considerations?*
4. *Are there other categories that should be addressed? If so, what criteria should be included in these categories?*
5. *Do you feel these guidelines will adequately cover the majority of situations likely to arise concerning requests for modifications to land plans and allocations?*
6. *Among the criteria identified in the draft guidelines and in the Council's discussions, which are of greatest importance to you?*

**Guidelines for Initiating Review of Off-Cycle Changes in  
Allocations of Reservoir Land**

TVA and the public invest considerable time and resources in developing reservoir land management plans to determine the best uses of reservoir property. TVA's goal is to reevaluate each plan on a 10-year cycle to determine if changes in the allocations are warranted, due to changes in stakeholder needs, growth patterns, adjacent land use, or other circumstances. The Regional Resource Stewardship Council and other stakeholders have expressed concern about interim "off-cycle" changes in land plan allocations that result in development of conservation land.

TVA believes that off-cycle changes in land allocations should be infrequent and limited to those reallocations that clearly provide greater public benefits. At the March 16-17 Council meeting, TVA will be seeking the Council's advice on the draft public interest, land use, and financial guidelines listed below. TVA proposes to use these guidelines in reviewing "off-cycle" proposals to change land allocations.

*Public Interest Guidelines*

1. The degree to which the proposal has multiple, data-supported public benefits, such as jobs creation, tax base increases, improved public access, environmental stewardship benefits, enhanced infrastructure, and/or recreation/tourism opportunities that would supersede the loss of the requested site for its allocated use.
2. When public amenities are planned as part of the initial development concept or for mitigation purposes, the degree to which the proposal includes a commitment by the requesting party to provide the public amenities in balanced phases with the rest of the development.
3. The degree to which the proposal includes low impact development practices (e.g., Audubon-certified golf courses; wetland protection; and/or shoreline buffers) and the requesting party has the ability to implement such practices.
4. Compatibility of anticipated changes in shoreline conditions with Maintain and Gain and other provisions of the Shoreline Management Policy.
5. Regional (multi-county) and local support (utilities, distributor, coalitions, local planning authorities, and elected officials).
6. Whether the potential exists to mitigate or otherwise address anticipated stakeholder issues.

*Land Use Guidelines*

7. Amount of time since the reservoir plan has been approved, with reallocation unlikely to be considered for plans in effect less than 5 years unless extraordinary circumstances exist; for plans in effect more than 5-10 years, reallocation will be more likely considered due to the potential for changes in public values and economic drivers.
8. If no reservoir plan exists, the request will typically only be considered if initiation of a reservoir plan is not imminent and the preliminary review supports further assessment of the feasibility and suitability of the project.
9. Whether a reallocation request in connection with a mixed-use development (live, work, and play concept) is focused at a targeted TVA site that has been pre-approved for mixed use by all interested TVA organizations and the TVA Board.
10. Whether a reallocation request in connection with a mixed-use development is located in a TVA designated Special Opportunity County, which is economically distressed, as measured by low per capita income, high poverty rate, and high unemployment rates.
11. For requests that would decrease the amount of TVA reservoir land allocated for conservation purposes, the proposal must include provisions for no-net-loss of TVA conservation land by offering mitigation exchange land as part of the proposal.
12. When mitigation exchange land is involved, it must be located on the same reservoir or it must offer unique opportunities to enhance public benefits.
13. When mitigation exchange land is involved, the extent to which the exchange land has commensurate public benefits and provides for both an-acre-for-acre and shoreline-mile for shoreline-mile exchange.
14. Whether impacts to adjacent land uses and existing TVA reservoir land plan allocations, natural or cultural resources, and public opportunities are either negligible or are mitigated.
15. Whether the proposed use would likely adversely affect the success or viability of ongoing or planned private developments in the vicinity.
16. Whether the proposed use would adversely affect the balance of land or water use on that reservoir (where, for example, due to its location the proposed use would eliminate the only or best site for a particular use, the proposed use would impair TVA's ability to meet multipurpose objectives, or the proposed use would eliminate the last pristine cove on a reservoir).
17. Whether a demonstrated market exists for the proposed use and the requested site is suitable to meet that need.

*Financial Guidelines*

18. Qualifications and business reputation of the requesting party (e.g., an experienced developer or an entity with the capability and a definite plan to secure a qualified, reputable developer).
19. Financial capacity and creditworthiness of the requesting party, based upon an assessment by CFO Corporate Credit.
20. Credibility and integrity of the requesting party to complete the development on schedule in accordance with approved plans.
21. Commitment by the requesting party to spend the time and money required to work through the public review and address issues raised by stakeholders.
22. Commitment by the requesting party to compensate TVA for all environmental review costs and processing fees regardless of whether or not the proposal is approved by the TVA Board. Approved land sales would be at public auction. If the land is sold to a party other than the party who initiated the action, the buyer would assume responsibility for compensating TVA for all environmental review costs and processing fees. If for some reason the land is not sold, the initiating party would retain responsibility for compensating TVA for its costs.
23. Commitment by the requesting party to pay for and invest time in any necessary feasibility and/or capacity studies.

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**1. How can TVA better manage public lands to make a contribution toward meeting conservation, recreation, and economic development needs in the Valley?**

- Philosophy, policy or set of standards
- Mini SMI or ROS process
- Public is responsible for helping develop the process.
- Close the loop—reinforce the rationale behind the decision, after the decision has been made.

**2. What tradeoff strategies or other approaches should be used by TVA in balancing conservation, recreation, and economic development uses of public land?**

- Add an overarching principle for off-cycle requests for changes in allocation. Mitigation, swap, or sale should increase public benefit, over and above the original designated use.
- Consider trades of lands in areas with lots of available land with other reservoirs with little public land.
- Where there has been a lot of development, TVA should take a hard line look. Where there isn't any development, TVA should be more open to potential development. State the philosophy in the guidelines.
- Criteria on whether or not development is allowed should be based on the best science available, not just economics.
- Be flexible to allow for off-site mitigation within the same watershed or an adjoining watershed.

**3. The draft criteria address public interest, land use, and financial considerations. Do the proposed criteria adequately address these considerations?**

- Does not include lands with use restrictions (i.e., ROS changes mean owners have access to more land). Includes only fee simple land.
- Environmental criteria should be spelled out in greater detail in the land use guidelines. State that the NEPA process will cover the environmental issues.
- Need to consider exchange of lands across different parts of the Valley. Users on one reservoir with substantial amounts of public land can buy parcels on another reservoir for maintain and gain. Create more public lands where needed and increased tax base.
- Impacts of runoff should be added in the criteria for land use guidelines. TVA can recommend technologies or actions to reduce runoff to encourage low runoff and sustainable growth practices (see #3). Clarify #3 and encourage these practices to be carried out.
- Applicant for change in land use should be encouraged to vet the project locally first to ascertain local opinion before submitting proposal to TVA. Provide statements from community members. Some counties require local

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approval of proposals before submitting to TVA. See #5—encourage regional, local and public support before submission to TVA. Encourage integration of regional and local entities.

- 4. Are there other categories that should be addressed? If so, what criteria should be included in these categories?**
  - Publicly vet the guidelines to provide TVA with legal protection (NEPA process) and allow flexibility for the organization, while protecting the public trust.
  
- 5. Do you feel these guidelines will adequately cover the majority of situations likely to arise concerning requests for modifications to land plans and allocations?**
  - The broad interpretation of public benefit allows requests to be considered in the majority of situations.
  - #5—Consider adding economic development entities as an element of local support.
  - Include some aspect of the stakeholder's ability to comply with past regulations or requests.
  
- 6. Among the criteria identified in the draft guidelines and in the Council's discussions, which are of greatest importance to you?**
  - The main criterion is maintain and gain.
  - Category of public interest and criteria #1 addresses balance for the public interest better.
  - No net loss, be adequate stewards of the extraordinary resources.
  - Underline the word supersede in criteria #1.
  - Criteria #1 has to underlie everything else.
  - Protection of natural and cultural resources at a no net loss policy.
  - Be proactive instead of reactive.

**GENERAL QUESTIONS**

- Are there use restrictions for maintain and gain? After land is "traded" are there restrictions to types of use? (i.e., clear-cutting)
- TVA can sell land with existing deed restrictions. (see #13) Environmental assessment performed on exchange lands.
- Financial Guidelines (see #22) Buyer has to show that they can provide the same level of benefits as the initiating party. TVA asks for qualified bidders.
- Can these criteria be clustered under guiding principles?



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- Give preference to off-cycle requests in areas where there is a local zoning or land use plan in place.
- Encourage use of best practices, using multi-county and multi-government coordination.
- Would putting the guidelines out without seeking public vetting open TVA to criticism? With these criteria as subjective as they are, once the public sees them, they may expect TVA to follow the guidelines. Possible legal action may ensue.

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